

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

2:11-CR-057-LDG-CWH

BRYAN BINNS,
aka Jose Silva-Ayala,)

Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on November 23, 2011, defendant BRYAN BINNS, aka Jose Silva-Ayala, pled guilty to Counts One through Four of a Four-Count Criminal Indictment charging him in Count One with Conspiracy to Distribute Methamphetamine in violation of Title 21, United States Code, Sections 841(a)(1) and 846; in Count Two with Conspiracy to Distribute Heroin in violation of Title 21, United States Code, Sections 841(a)(1) and 846; in Count Three with Conspiracy to Distribute Cocaine in violation of Title 21, United States Code, Sections 841(a)(1) and 846; and in Count Four with Conspiracy to Distribute Marijuana in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Docket #8, #95.

This Court finds defendant BRYAN BINNS, aka Jose Silva-Ayala, agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and the Plea Agreement. #8, #95.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of

1 the Criminal Indictment and the Plea Agreement and the offense to which defendant BRYAN
2 BINNS, aka Jose Silva-Ayala, pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 21, United States Code,
4 Section 853(a)(1); Title 21, United States Code, Section 853(a)(2); Title 18, United States Code,
5 Section 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21,
6 United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c), including:

- 7 (a) 2009 Dodge Challenger, VIN 2B3LJ54T19H503073;
- 8 (b) 2008 Chevrolet Tahoe, VIN 1GNFC13J28R194198;
- 9 (c) 2007 Chevrolet Silverado 2500, VIN 1GCHK23637F566766;
- 10 (d) 2006 Dodge SRT Truck, VIN 3D7HA18H86G152490;
- 11 (e) 2005 Kenworth Motor Truck Tractor, VIN 1XKADB9X85J071120;
- 12 (f) 1999 Wilson Commercial Trailer, VIN 4WWBGB6BXXM602298;
- 13 (g) .40 Caliber Smith and Wesson automatic handgun, Serial # RCA8728;
- 14 (h) Colt .45 caliber automatic handgun, Serial # 70N04624;
- 15 (i) \$38,980.00 in United States currency; and
- 16 (j) any and all ammunition ("property").

17 This Court finds the United States of America is now entitled to, and should, reduce the
18 aforementioned property to the possession of the United States of America.

19 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
20 United States of America should seize the aforementioned property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
22 BRYAN BINNS, aka Jose Silva-Ayala, in the aforementioned property is forfeited and is vested in
23 the United States of America and shall be safely held by the United States of America until further
24 order of the Court.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
26 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture

1 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
2 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
3 the name and contact information for the government attorney to be served with the petition,
4 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

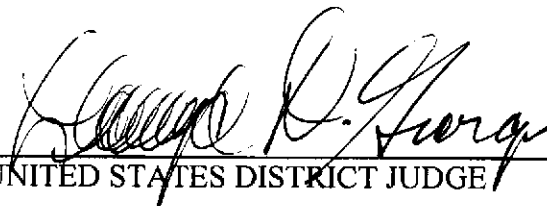
5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
6 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
8 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
9 following address at the time of filing:

10 Michael A. Humphreys
Assistant United States Attorney
11 Daniel D. Hollingsworth
Assistant United States Attorney
12 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
13 Las Vegas, Nevada 89101.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
15 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
16 following publication of notice of seizure and intent to administratively forfeit the above-described
17 property.

18 DATED this 23 day of Nov, 2011.

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21 UNITED STATES DISTRICT JUDGE
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